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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANNE BRYANT,	:	07 Civ. 6395 (SHS)
	:	
Plaintiff,	:	
	:	
-against-	:	<u>ORDER</u>
	:	
AB DROITS AUDIOVISUELS, <i>ET AL.</i> ,	:	
	:	
Defendants.	:	

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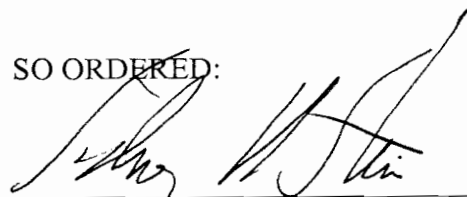
SIDNEY H. STEIN, U.S. District Judges.

On March 17, 2009, the Appellate Division, Second Department, *inter alia*, modified the judgment of New York State Supreme Court, Rockland County (O'Rourke, J.) entered May 8, 2007; granted Bryant's motion for leave to conform the pleadings to the proof adduced at trial by asserting a cause of action alleging breach of contract; severed the cause of action alleging breach of contract; and remitted the matter to the Supreme Court for a new trial on the breach of contract cause of action. In its Decision and Order dated March 17, 2009, the Court wrote that "the record does not indicate that the trial court had determined a cause of action alleging breach of contract. . . ." At the request of the Sunbow Defendants contained in their letter dated March 27, 2009,

IT IS HEREBY ORDERED that this action is placed on the suspense calendar pending the outcome of the state trial on plaintiff's contract claims and the pending motions to dismiss the complaint [31, 36] are dismissed without prejudice.

Dated: New York, New York  
March 30, 2009

SO ORDERED:

  
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Sidney H. Stein, U.S.D.J.